IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Un	ited States of America,)
	Plaintiff,) 8:08CR476)
	VS.)) DETENTION ORDER)
Em	nmuanuel Jackson,)
	Material Witness.	j ,
A.	Order For Detention After conducting a detention hearing purse Reform Act, the Court orders the above-neurons. U.S.C. § 3142(e) and (i).	
B.	conditions will reasonably assure the required. X By clear and convincing evidence to the second convincing evidence evide	on because it finds: ce that no condition or combination of the appearance of the defendant as
C.	Finding Of Fact The Court's findings are based on the evidence that which was contained in the Pretrial Secondary X (1) Nature and circumstances of the X (a) The crime: Conspiracy Person, Making a False of a Firearm, Felon in Person and carry a maximum (b) The offense is a crime of the crimes and carry a maximum (c) The offense involves a result of the contained of the contai	Services Report, and includes the following: the offense charged: y, Transfer of Firearms to a Prohibited e or Fictitious Statement in the Acquisition Possession of a Firearm are serious kimum penalty of 10 years imprisonment. of violence.
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	The defendant has no family ties in the area. X The defendant has no steady employment. X The defendant has no substantial financial resources.	
	The defendant is not a long time resident of the community.	
	The defendant does not have any significant community	
	ties. Past conduct of the defendant:	
	Fast conduct of the defendant.	
	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. X The defendant has a significant prior criminal record. X The defendant has a prior record of failure to appear at court proceedings. (b) At the time of the current arrest, the defendant was on:	
	Probation X Parole Release pending trial, sentence, appeal or completion of sentence.	
	(c) Other Factors: The defendant is an illegal alien and is subject to deportation.	
	The defendant is a legal alien and will be subject to deportation if convicted.	
	The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:	
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: History of Violent Behavior		
(5)		
	In determining that the defendant should be detained, the Court also relied on the following rebuttable presumption(s) contained in 18 U.S.C § 3142(e) which the Court finds the defendant has not rebutted: (a) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Coufinds that the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or	

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		A controlled substance violation which has a maximum penalty of 10 years or more; or A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.
(b)		dition or combination of conditions will reasonably
		appearance of the defendant as required and the
	-	e community because the Court finds that there is use to believe:
	•	That the defendant has committed a controlled
	(1)	substance violation which has a maximum penalty of
		10 years or more.
	(2)	That the defendant has committed an offense under
		18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a
		crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 2, 2009.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge